Kerala Gazette No. 40 dated 4th September 1977.
PART I Section iv

GOVERNMENT OF KERALA

PUBLIC WORKS (TRANSPORT B) DEPARTMENT

NOTIFICATION

No. G.O.P. 141/77/PW. *Dated, Trivandrum, 6th Septemberr* 1977.

S.R.O. No. 895/77.—In exercise of the powers conferred by section 41 of the Motor Vehicles Act, 1939 (Central Act 4 of 1939) the Government of Kerala hereby make the following further amendment to the Kerala Motor Vehicles Rules 1961, the same having been previously published as required by subsection (1) of section 133 of the said Act, namely:—

AMENDMENTS

In the said Rules,—

(1) in rule 134, for clause (b) of sub-rule (1), the following clause shall be substituted, namely:—

"*Period of validity.*—The period of validity of the first certificate of fitness in the case of a transport vehicle, registered as brand new shall be two years from the date of issue and for the subsequent inspection the period shall be one year from the date of issue till the vehicle becomes five years old reckoned from the date of its registration as brand new and in other cases, six complete calendar months excluding the days in the month in which the vehicle is inspected for the issue of certificate of fitness:

Provided that vehicles older than 10 years reckoned from the date of registration as brand new shall be inspected by the Joint Regional Transport Officer or Regional Transport Officer for issue or renewal of certificate of fitness".

(2) in rule 138, the following further proviso shall be inserted, namely:—

"Provided further that the fee for the grant of a certificate of fitness for two years under clause (b) of sub-rule (1) of rule 134 shall be double the fee prescribed for grant of a certificate of fitness for one year."

By order of the Governor,

N. R. AUGUSTINE,
Joint Secretary.

Explanatory Note

(This is not part of the notification, but is intended to bring out the main purport).

Under section 38 (2) of the Motor Vehicles Act, 1939 the Certificate of fitness issued to a transport vehicle shall remain effective for such periods, not being in any case more than two years or less than six months, as may be prescribed in the certificate by the prescribed authority under subsection (1). In rule 134 of the Kerala Motor Vehicle Rules, 1961, prescribing the period of validity of certificate of fitness in the case of Transport Vehicle which is not more than 4 years old reckoned from the date of its registration as brand new, it shall be one year from the date of issue and in other cases six complete calendar months excluding the days of the month in which the vehicle is inspected for issue of certificate of fitness. The vehicle owners have to apply in form CFA for getting the vehicle inspected and to obtain certificate of fitness. This involves available inconvenience to the vehicle owners. If the number of transport vehicle each district requiring periodical inspection for issue of fitness certificate and the number of Motor Vehicle Inspectors/Assistant Motor Vehicle Inspectors sanctioned in each district is compared it will be obvious, that it is impossible to carry out a through inspection of the vehicle for fitness certificate on the specified dates. The earning capacity of the vehicles depends upon the utilisation of the vehicles. Therefore, the operators will generally keep their vehicles in good condition. It may not therefore, be necessary to carry out a complete check-up of the vehicles at fixed intervals every time when the vehicle is produced for inspection except in the case of very old model vehicles. As is the practice in Bombay, it is decided that the period of inspection may, therefore, be reduced in the case of later model vehicles. The amendment is to achieve the above object.

To

The Transport Commissioner.

The Secretary, State Transport Authirity, Trivandrum.

The Inspector General of Police.

The Chief Engineer, General, Buildings & Roads.

The General Manager, Kerala State Road Transport Corporation.

All Regional Transport Officers.

All State Governments.

The Secretary to Government of India, Ministry of Shipping and Transport (Transport Wing) New Delhi.